IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

THURSDAY, THE 15TH FEBRUARY 2007 / 26TH MAGHA 1928

WP(C).No. 5268 of 2007(B)

PETITIONER:

AHAMMED HASIM JAWAD,
HIDAYA MANZIL, PAZHUMMOODU, POOVACHAL P.O.,
REPRESENTED BY HER POWER OF ATTORNEY HOLDER
FATHIMA BEEVI.

BY ADV. SRI.S.GOPAKUMARAN NAIR

RESPONDENTS:

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1. STATE BANK OF TRAVANCORE,
REPRESENTED BY ITS GENERAL MANAGER,
ZONAL OFFICE, THIRUVANANTHAPURAM.

2. THE CHIEF MANAGER,
STATE BANK OF TRAVANCORE,
POOVACHAL BRANCH, THIRUVANANTHAPURAM.

BY S.C.SRI.SAJI VARGHESE.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 15/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

Thottathil B. Radhakrishnan, J.

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W.P.(C)No.5268 of 2007

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Dated this the 15th day of February, 2007.

JUDGMENT

Having heard the learned counsel for the petitioner and the learned counsel for the Bank and having regard to the fact that the transaction is a housing loan and that the petitioner has paid an amount over Rupees seven lac, it is directed that if the petitioner remits at the rate of Rupees two lac per month, payable on or before the last working day of every month after making a deposit of Rupees two lac on or before 5-3-2007, the impugned distress action will be kept in abeyance. If the petitioner commits default in depositing any of the instalments as aforesaid, the respondents will be at liberty to forthwith follow with distress action.

Writ Petition is disposed of in the above terms.

Thottathil B.Radhakrishnan,

sl. **Judge.**